

Senate Amendment 5281

PAG LIN

1 1 Amend House File 2792, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 32, by inserting after line 2 the
1 4 following:
1 5 <DIVISION ____
1 6 STATE AND LOCAL GOVERNMENT OPERATIONS
1 7 Sec. ____ Section 8A.108, Code 2005, is amended to
1 8 read as follows:
1 9 8A.108 ACCEPTANCE OF FUNDS.
1 10 1. The department may receive and accept
1 11 donations, grants, gifts, and contributions in the
1 12 form of moneys, services, materials, or otherwise,
1 13 from the United States or any of its agencies, from
1 14 this state or any of its agencies, or from any other
1 15 person, and may use or expend such moneys, services,
1 16 materials, or other contributions, or issue grants, in
1 17 carrying out the operations of the department. All
1 18 federal grants to and the federal receipts of the
1 19 department are hereby appropriated for the purpose set
1 20 forth in such federal grants or receipts. The
1 21 department shall report annually to the general
1 22 assembly on or before September 1 the donations,
1 23 grants, gifts, and contributions with a monetary value
1 24 of one thousand dollars or more that were received
1 25 during the most recently concluded fiscal year.
1 26 2. a. The department may solicit donations,
1 27 grants, gifts, and contributions in the form of
1 28 moneys, services, materials, real property, or
1 29 otherwise from any person for specific projects and
1 30 improvements on or near the capitol complex. However,
1 31 no less than twenty days prior to commencing any such
1 32 solicitation, the department shall notify the
1 33 executive council, the department of management, and
1 34 the legislative council of the project for which the
1 35 solicitation is proposed. The department is only
1 36 required to provide one notification for each project
1 37 for which a solicitation is proposed.
1 38 b. The department shall not accept any donation,
1 39 grant, gift, or contribution in any form that includes
1 40 any condition other than a condition to use the
1 41 donation, grant, gift, or contribution for the project
1 42 for which it was solicited. The department shall not
1 43 confer any benefit upon or establish any permanent
1 44 acknowledgement of the donor of the donation, grant,
1 45 gift, or contribution unless specifically authorized
1 46 by a constitutional majority of each house of the
1 47 general assembly and approved by the governor or
1 48 unless otherwise specifically authorized by law.
1 49 Sec. ____ Section 8A.321, Code Supplement 2005, is
1 50 amended by adding the following new subsection:
2 1 NEW SUBSECTION. 8A. With the approval of the
2 2 executive council pursuant to section 7D.29 or
2 3 pursuant to other authority granted by law, acquire
2 4 real property to be held by the department in the name
2 5 of the state as follows:
2 6 a. By purchase, lease, option, gift, grant,
2 7 bequest, devise, or otherwise.
2 8 b. By exchange of real property belonging to the
2 9 state for property belonging to another person.
2 10 Sec. ____ Section 68B.7, Code 2005, is amended by
2 11 adding the following new unnumbered paragraph:
2 12 NEW UNNUMBERED PARAGRAPH. Notwithstanding the
2 13 provisions of this section, a person who has served as
2 14 the workers' compensation commissioner, or any deputy
2 15 thereof, may represent a claimant in a contested case
2 16 before the division of workers' compensation at any
2 17 point subsequent to termination of such service,
2 18 regardless of whether the person charges a contingent
2 19 fee for such representation, provided such case was
2 20 not pending before the division during the person's
2 21 tenure as commissioner or deputy.
2 22 Sec. ____ Section 100B.13, Code Supplement 2005,
2 23 is amended to read as follows:
2 24 100B.13 VOLUNTEER FIRE FIGHTER PREPAREDNESS FUND.

2 25 1. A volunteer fire fighter preparedness fund is
2 26 created as a separate and distinct fund in the state
2 27 treasury under the control of the division of state
2 28 fire marshal of the department of public safety.
2 29 2. Revenue for the volunteer fire fighter
2 30 preparedness fund shall include, but is not limited
2 31 to, the following:
2 32 a. Moneys credited to the fund pursuant to section
2 33 422.12F.
2 34 ~~b. Moneys credited to the fund pursuant to section~~
2 35 ~~422.12G.~~
2 36 ~~b.~~ c. Moneys in the form of a devise, gift,
2 37 bequest, donation, or federal or other grant intended
2 38 to be used for the purposes of the fund.
2 39 3. Moneys in the volunteer fire fighter
2 40 preparedness fund are not subject to section 8.33.
2 41 Notwithstanding section 12C.7, subsection 2, interest
2 42 or earnings on moneys in the fund shall be credited to
2 43 the fund.
2 44 4. Moneys in the volunteer fire fighter
2 45 preparedness fund are appropriated to the division of
2 46 state fire marshal of the department of public safety
2 47 to be used annually to pay the costs of providing
2 48 volunteer fire fighter training around the state and
2 49 to pay the costs of providing volunteer fire fighting
2 50 equipment.
3 1 Sec. _____. Section 232.116, subsection 1, Code
3 2 2005, is amended by adding the following new
3 3 paragraph:
3 4 NEW PARAGRAPH. o. The parent has been convicted
3 5 of a felony offense that is a criminal offense against
3 6 a minor as defined in section 692A.1, the parent is
3 7 divorced from or was never married to the minor's
3 8 other parent, and the parent is serving a minimum
3 9 sentence of confinement of at least five years for
3 10 that offense.
3 11 Sec. _____. Section 314.28, Code 2005, is amended to
3 12 read as follows:
3 13 314.28 KEEP IOWA BEAUTIFUL FUND.
3 14 A keep Iowa beautiful fund is created in the office
3 15 of the treasurer of state. The fund is composed of
3 16 moneys appropriated or available to and obtained or
3 17 accepted by the treasurer of state for deposit in the
3 18 fund. The fund shall include moneys transferred to
3 19 the fund as provided in section 422.12A. The fund
3 20 shall also include moneys transferred to the fund as
3 21 provided in section 422.12G. All interest earned on
3 22 moneys in the fund shall be credited to and remain in
3 23 the fund. Section 8.33 does not apply to moneys in
3 24 the fund.
3 25 Moneys in the fund that are authorized by the
3 26 department for expenditure are appropriated, and shall
3 27 be used, to educate and encourage Iowans to take
3 28 greater responsibility for improving their community
3 29 environment and enhancing the beauty of the state
3 30 through litter prevention, improving waste management
3 31 and recycling efforts, and beautification projects.
3 32 The department may authorize payment of moneys from
3 33 the fund upon approval of an application from a
3 34 private or public organization. The applicant shall
3 35 submit a plan for litter prevention, improving waste
3 36 management and recycling efforts, or a beautification
3 37 project along with its application. The department
3 38 shall establish standards relating to the type of
3 39 projects available for assistance.
3 40 Sec. _____. NEW SECTION. 422.12G JOINT INCOME TAX
3 41 REFUND CHECKOFF FOR KEEP IOWA BEAUTIFUL FUND AND
3 42 VOLUNTEER FIRE FIGHTER PREPAREDNESS FUND.
3 43 1. A person who files an individual or a joint
3 44 income tax return with the department of revenue under
3 45 section 422.13 may designate one dollar or more to be
3 46 paid jointly to the keep Iowa beautiful fund created
3 47 in section 314.28 and to the volunteer fire fighter
3 48 preparedness fund created in section 100B.13. If the
3 49 refund due on the return or the payment remitted with
3 50 the return is insufficient to pay the additional
4 1 amount designated by the taxpayer, the amount
4 2 designated shall be reduced to the remaining amount of
4 3 refund or the remaining amount remitted with the
4 4 return. The designation of a contribution under this
4 5 section is irrevocable.

4 6 2. The director of revenue shall draft the income
4 7 tax form to allow the designation of contributions to
4 8 the keep Iowa beautiful fund and to the volunteer fire
4 9 fighter preparedness fund as one checkoff on the tax
4 10 return. The department of revenue, on or before
4 11 January 31, shall transfer one-half of the total
4 12 amount designated on the tax return forms due in the
4 13 preceding calendar year to the keep Iowa beautiful
4 14 fund and the remaining one-half to the volunteer fire
4 15 fighter preparedness fund. However, before a checkoff
4 16 pursuant to this section shall be permitted, all
4 17 liabilities on the books of the department of
4 18 administrative services and accounts identified as
4 19 owing under section 8A.504 and the political
4 20 contribution allowed under section 68A.601 shall be
4 21 satisfied.

4 22 3. The department of revenue shall adopt rules to
4 23 administer this section.

4 24 4. This section is subject to repeal under section
4 25 422.12E.

4 26 Sec. _____. Section 427.1, subsection 21A, Code
4 27 Supplement 2005, as amended by 2006 Iowa Acts, House
4 28 File 2797, section 84, if enacted, is amended to read
4 29 as follows:

4 30 21A. DWELLING UNIT PROPERTY OWNED BY COMMUNITY
4 31 HOUSING DEVELOPMENT ORGANIZATION. Dwelling unit
4 32 property owned and managed by a community housing
4 33 development organization, as recognized by the state
4 34 of Iowa and the federal government pursuant to
4 35 criteria for community housing development
4 36 organization designation contained in the HOME program
4 37 of the federal National Affordable Housing Act of
4 38 1990, if the organization is also a nonprofit
4 39 organization exempt from federal income tax under
4 40 section 501(c)(3) of the Internal Revenue Code and
4 41 owns and manages more than one hundred and fifty
4 42 dwelling units that are located in a city with a
4 43 population of more than one hundred ten thousand. For
4 44 the 2005 and 2006 assessment years, an application is
4 45 not required to be filed to receive the exemption.
4 46 For the 2007 and subsequent assessment years, an
4 47 application for exemption must be filed with the
4 48 assessing authority not later than February 1 of the
4 49 assessment year for which the exemption is sought.
4 50 Upon the filing and allowance of the claim, the claim
5 1 shall be allowed on the property for successive years
5 2 without further filing as long as the property
5 3 continues to qualify for the exemption.

5 4 Sec. _____. Section 600A.8, Code Supplement 2005, is
5 5 amended by adding the following new subsection:

5 6 NEW SUBSECTION. 10. The parent has been convicted
5 7 of a felony offense that is a criminal offense against
5 8 a minor as defined in section 692A.1, the parent is
5 9 divorced from or was never married to the minor's
5 10 other parent, and the parent is serving a minimum
5 11 sentence of confinement of at least five years for
5 12 that offense.

5 13 Sec. _____. Section 602.8108, subsection 8B, if
5 14 enacted by 2006 Iowa Acts, House File 2789, section 8,
5 15 is amended to read as follows:

5 16 8B. The state court administrator shall allocate
5 17 to the office of attorney general for the fiscal year
5 18 beginning July 1, 2006, and for each fiscal year
5 19 thereafter, ~~three~~ four hundred fifty thousand dollars
5 20 of the moneys received annually under subsection 2, to
5 21 be used for legal services for persons in poverty
5 22 grants as provided in section 13.34.

5 23 Sec. _____. 2006 Iowa Acts, House File 2797, section
5 24 43, subsection 1, paragraph a, if enacted, is amended
5 25 by adding the following new subparagraphs:

5 26 NEW SUBPARAGRAPH. (11) Sierra club = Iowa
5 27 chapter.

5 28 NEW SUBPARAGRAPH. (12) Izaak Walton league of
5 29 Iowa.

5 30 NEW SUBPARAGRAPH. (13) State conservation
5 31 districts.

5 32 Sec. _____. 2006 Iowa Acts, House File 2794, section
5 33 58, if enacted, is repealed.

5 34 Sec. _____. RETROACTIVE APPLICABILITY. The section
5 35 of this Act enacting section 422.12G applies
5 36 retroactively to tax years beginning on or after

5 37 January 1, 2006.>
5 38 #2. Title page, line 1, by striking the word
5 39 <education> and inserting the following: <government
5 40 operations and>.
5 41
5 42
5 43 _____
5 44 MICHAEL E. GRONSTAL
5 45
5 46
5 47 _____
5 48 MARY A. LUNDBY
5 49 HF 2792.304 81
5 50 mg/cf/6070